	Application No.	Applicant(s)
Notice of Allowability	10/777,163	DICHTL, GOTTFRIED
	Examiner	Art Unit
	Scott Bushey	1724
The MAILING DATE of this communication ap All claims being allowable, PROSECUTION ON THE MERITS I herewith (or previously mailed), a Notice of Allowance (PTOL-8 NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT of the Office or upon petition by the applicant. See 37 CFR 1.3	IS (OR REMAINS) CLOSED in 5) or other appropriate commu RIGHTS. This application is s 13 and MPEP 1308.	this application. If not included inication will be mailed in due course. THIS
1. $igotimes$ This communication is responsive to <u>applicant's RCE an</u>	d amendment filed 1-17-07.	
2. $igotimes$ The allowed claim(s) is/are <u>1-5, and 8-37 (renumbered a</u>	as 1-35, respectively).	
 Acknowledgment is made of a claim for foreign priority a)		or (f).
2. Certified copies of the priority documents ha	ive been received in Applicatio	n No
Copies of the certified copies of the priority of	documents have been received	in this national stage application from the
International Bureau (PCT Rule 17.2(a)).		
* Certified copies not received:		
Applicant has THREE MONTHS FROM THE "MAILING DATE noted below. Failure to timely comply will result in ABANDON THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.	E" of this communication to file NMENT of this application.	a reply complying with the requirements
4. A SUBSTITUTE OATH OR DECLARATION must be sub INFORMAL PATENT APPLICATION (PTO-152) which g	omitted. Note the attached EXA ives reason(s) why the oath or	MINER'S AMENDMENT or NOTICE OF declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") m	nust be submitted.	
(a) 🔲 including changes required by the Notice of Draftspe	erson's Patent Drawing Review	(PTO-948) attached
1) 🗌 hereto or 2) 🔲 to Paper No./Mail Date	<u>_</u> .	
(b) including changes required by the attached Examine Paper No./Mail Date		
Identifying indicia such as the application number (see 37 CFF each sheet. Replacement sheet(s) should be labeled as such in	R 1.84(c)) should be written on the thing to 37 CF	ne drawings in the front (not the back) of R 1.121(d).
 DEPOSIT OF and/or INFORMATION about the department department regarding REQUIREMEN 	oosit of BIOLOGICAL MATE T FOR THE DEPOSIT OF BIO	ERIAL must be submitted. Note the DLOGICAL MATERIAL.
·		·
Attachment(s)		
1. Notice of References Cited (PTO-892)		formal Patent Application
2. Notice of Draftperson's Patent Drawing Review (PTO-948		ummary (PTO-413),
3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date		Mail Date Amendment/Comment
Examiner's Comment Regarding Requirement for Deposit of Biological Material	t 8. ⊠ Examiner's	Statement of Reasons for Allowance
	9.	-•

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

WITHDRAWAL OF PREVIOUS RESTRICTION REQUIREMENT

2. In view of applicant's amendments to independent claims 1, 34, and 37, claims 1 and 34, which remain generic to the disclosed and claimed species of the invention, all previously imposed restriction requirements between delineated inventions and/or species of the invention, are hereby withdrawn and all of the pending claims in the application rejoined and fully examined for patentability under 37 CFR 1.104.

Because all claims previously withdrawn from consideration under 37 CFR 1.142 have been rejoined, the restriction requirements as set forth in the Office action mailed on June 8, 2005 and July 27, 2005 are hereby withdrawn. In view of the withdrawal of the restriction requirement as to the rejoined inventions, applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once the restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer

applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

CORRECTION WITH RESPECT TO PETITION TO CORRECT INVENTORSHIP

3. Please note that the Examiner misstated that the fee due with the Petition to Correct Inventorship was not paid. The fee was in fact paid on October 18, 2004 and the petition has been approved by the Examiner with respect to the inventorship correction.

REASONS FOR ALLOWANCE

4. The following is an examiner's statement of reasons for allowance:

The prior art of record fails to disclose or suggest the lugs on the border of the flat trays, wherein the trays are provided with passages and superstructures and include corrosion resistant covering or coating.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

CONCLUSION

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Bushey whose telephone number is 571 272-1153. The examiner can normally be reached on M-Th 6:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on 571 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

> Scott Bushey Primary Examiner Art Unit 1724

csb 2-14-07